



LITTLE HOOVER COMMISSION

CALFED/ Bay-Delta Authority Governance Review Draft Work Plan (July 14, 2005)

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Governor's request

"I would like to ask the Commission to undertake an examination of governance issues related to the CALFED Bay-Delta program and the proper role of the California Bay-Delta Authority and to prepare a report of findings and recommendations to improve the performance, and ultimately the public trust, in this essential program."

Goal

Informed by detailed research and guided by a public process, the Commission will produce an independent and comprehensive assessment of how the CALFED program is governed and practical recommendations for improving governance of the program and the role of the Bay-Delta Authority.

Study Scope

The Commission will systematically explore the elements of governance: Vision and mission, authority, organizational structure, procedures, resources and accountability. The Commission will assess how well these elements are aligned in policy and in practice. The Commission will explore how the current governance structure might be modified to improve the performance of the CALFED Program. The Commission also will compare the governance of CALFED with other models to identify other means of effecting multipurpose and multi-agency actions.

Methodology

The Commission will explore these issues through interviews with stakeholders, consultation with experts and other research. The issues will be discussed publicly, drawing on the experience, expertise and ideas of the Bay-Delta Authority and its advisory committee. The Commission's evolving understanding of these issues will be distilled and posted for public comment. Based on that analysis, the Commission will submit findings and recommendations to the Governor and the Legislature.

Elements of Governance: Potential issues to explore

Vision and Mission

1. What is the CALFED Program expected to accomplish?
2. How are BDA and the other CALFED implementing entities expected to accomplish that vision?
3. Is there agreement on BDA's purpose and its dual roles as an implementing agency and as an oversight agency?
4. Is there agreement on how BDA should pursue the goals of the CALFED Program?
5. Has the mission changed? Can the mission be adapted to new challenges, and does it need to change to reflect the public interest?

Authority

1. What are the BDA's legal authorities and how has it used them?
2. What outside authorities can the BDA influence and how does it influence them?
3. What key decisions and other legal authorities influence the CALFED Program that BDA does not control or influence?
4. Are there limitations to the BDA's authority that prevents it from achieving its purpose?

Organizational structure (including decision-makers)

1. What are the functions and activities of the BDA and how are they organized?
2. What are the roles and responsibilities of the BDA board and the BDA staff, and how do they relate to the roles and responsibilities of the member entities?
3. What considerations (and compromises) drove the current organizational structure?
4. How does the BDA's organizational structure compare to other multi-agency entities and could any of those mechanisms be used to improve the performance of CALFED?

Procedures

1. How are decisions made and by whom? How does BDA operate to achieve the goals of the CALFED program?
2. How is information – and scientific information, in particular – used in making decisions?
3. How are decisions implemented and are the appropriate processes used to manage and administer CALFED programs?
4. What can be learned from other intergovernmental venues to improve decision-making?

Resources

1. What resources are controlled by BDA and are they adequate to accomplish its tasks?
2. What resources are influenced (and to what extent) by BDA?
3. What resources does BDA not control or influence that affect the program's outcomes?

Accountability

1. How is the performance of the BDA and the CALFED program measured?
2. How are performance measures used to influence future decisions and the management of CALFED programs?
3. What are the responses and consequences of inadequate performance?

Public Process

Through a combination of publicly posted written documents and public discussions, the Commission will provide an evolving understanding of governance-related issues and opportunities for improving governance.

1. **Written responses to Commission questions.** The Commission will invite individuals, organizations and agencies to respond – publicly and in writing – to questions probing CALFED governance. The intention is to develop an accurate understanding and to assess where there is agreement and disagreement.
2. **Workshop discussions.** To further explore issues defined through the Commission's research and the written submittals, workshops will be scheduled to allow interested parties to provide public comment.
3. **Written analysis of issues.** The Commission will post its evolving understanding of the fundamental issues and invite responses to that analysis.
4. **Public hearings.** The Commission will conduct at least three public hearings.
 - **August 25: Background and current concerns.** The hearing will focus on the overall concerns about the state of progress, including the analysis that is underway to assess performance and the concerns that have been raised about governance.
 - **September 22: Governance critiqued.** How well has the governance system worked? What elements have worked well and which have not? What does "governance" need to accomplish?
 - **October 27: Alternatives and Alignment.** What elements of BDA's governance should change to improve performance? How can interagency efforts best be managed? Which decision-making models should BDA rely upon?
5. **Decision.** The Commission will meet on November 17 to adopt final recommendations.